

Judge Martinez

UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF WASHINGTON
AT SEATTLE

UNITED STATES OF AMERICA,

Plaintiff,

v.

HONG VAN NGUYEN,
LONG DUY TRAN, and
ROY MITCHELL,

Defendants.

NO. CR06-431 RSM

ORDER CONTINUING
TRIAL DATE

THIS MATTER comes before the Court upon a joint motion by the United States and the defendants for a continuance of the trial date. Having considered the entirety of the records and file herein, the Court rules as follows:

The ends of justice served by the granting of a continuance outweigh the best interests of the public and the defendants in a speedy trial. This case is unusually complex, and all parties request a continuance to allow additional time to prepare for trial. The investigation involved the court-authorized interception of several telephones, and over 20 search warrants. Most of the intercepted calls were in Vietnamese. The discovery is extensive. Defendants Nguyen and Tran are charged in the related case with a trial date in April 2007. The government intends to seek a superseding indictment in

1 that related case, which will merge the two cases. The defendants have agreed to waive
2 their speedy trial rights.

3 The court finds that the time period between the filing of this motion and the new
4 trial date is excludable time under the Speedy Trial Act, Title 18 U.S.C. §3161, pursuant
5 to Sections 3161(h)(8)(A) (continuance requested by parties), 3161(h)(8)(B)(I) (failure to
6 grant continuance would result in a miscarriage of justice), and 3161(h)(8)(B)(ii) (unusual
7 or complex case).

8 Trial of this matter is continued until February 26, 2007. Motions shall be due no
9 later than February 2, 2007.

10 DATED this 23 day of January, 2007.

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14 RICARDO S. MARTINEZ
15 UNITED STATES DISTRICT JUDGE

16 Presented by:

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